



PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/074,178
Filing Date	February 12, 2002
First Named Inventor	David J. Eyre, et al.
Art Unit	1631
Examiner Name	Carolyn Smith
Attorney Docket Number	7475-69889

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **10-0435**

- i. ☐ RCE fee required under 37 CFR 1.17(e) 04/27/2005 EFLORES 00000021 10074178
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 790.00 OP
- iii. ☒ Other **Any additional Required Fees** \_\_\_\_\_

- b. ☒ Check in the amount of \$ **790.00** enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)

Rebecca L. Ball

Registration No. (Attorney / Agent)

46535

Signature

Rebecca Ball

Date

4/22/2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)

Rebecca L. Ball

Signature

Rebecca Ball

Date

4-22-2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**BARNES & THORNBURG**

11 South Meridian Street  
Indianapolis, Indiana 46204  
(317) 236-1313  
(317) 231-7433 Fax

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Group: 1631

Confirmation No.: 5007

Application No.: 10/074,178

Invention: **MULTI-TEST ANALYSIS OF  
REAL-TIME NUCLEIC ACID  
AMPLIFICATION**

Applicant: David J. Eyre, et al.

Filed: February 12, 2002

Attorney  
Docket: 7475-69889

Examiner: Carolyn L. Smith

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on April 22, 2005

Rebecca Ball  
(Signature)

Rebecca L. Ball  
(Printed Name)

**REQUEST FOR CONTINUED EXAMINATION**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants are filing a Request for Continued Examination transmitted herewith. Applicants are also filing an Amendment and Response, transmitted herewith, and the amendment satisfies the requirement under 37 C.F.R. § 1.114(a) for filing a submission with a Request for Continued Examination. Our check in the amount of \$790.00 under 37 C.F.R. § 1.17(e) for filing the Request for Continued Examination is also transmitted herewith.

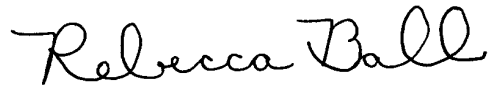
04/27/2005 EFLORES 00000022 10074178

01 FC:1253

1020.00 OP

Applicants hereby petition for a three-month extension of time for filing the Request for Continued Examination. A check in the amount of \$1020 is enclosed for the three-month extension of time. Applicants believe that no other fees are required. If other fees are required, the Assistant Commissioner is hereby authorized to charge the same to the account of Barnes & Thornburg, Deposit Account No. 10-0435, with reference to our matter 7475-69889.

Respectfully submitted,



Rebecca L. Ball  
Registration No. 46,535  
Attorney for Applicants

RVB:wlb  
(317) 231-7511  
Indianapolis, Indiana 46204